



Faculty of Dentistry *Te Kaupeka Pūniho*

Fitness to Practise Policy and Process

1. Scope

The concept of fitness to practise is concerned primarily with patient and public safety, at present or in the future. It is also about upholding professional standards, including the Faculty of Dentistry Student Code of Professional Practice, and contributing to the maintenance of the profession, and public confidence in the profession.

Any student who becomes aware that they have any medical, health or personal condition which may threaten their fitness to practise, and which may lead them to either discontinue or compromise their programme of study, should seek advice from the relevant Associate Dean (Undergraduate Studies or Postgraduate Studies) at the earliest opportunity. There is an organisational responsibility, both ethical and legal, for staff who teach such students to minimise the risk of harm for all patients, students and graduates of the Faculty.

The Faculty's Student Code of Professional Practice encompasses Fitness to Practise concerns in the three separate areas of: health and personal issues; professional attitudes and behaviours; and extra-curricular concerns or issues.

Area 1: Health and Personal Issues

Issues that may affect the student's future ability to practise in oral health professions include, but are not limited to:

- Mental impairment or disorders
- Physical impairment
- Infectious diseases, including transmissible blood-borne viral infections
- Drug or alcohol misuse
- Theft of medicines or money

Such issues are likely to: expose the student, patients or staff members to potential risk; affect a student's studies, progression or career pathways; and/or expose the Faculty or partner organisations to potential risk.

Area 2: Professional Attitudes and Behaviours

Issues of concern regarding professional attitudes and behaviours during the programmes include, but are not limited to:

- Failure to develop and maintain attitudes and behaviours which are expected of oral health practitioners in their conduct towards patients, staff and colleagues. These include honesty, reliability, responsibility, and accountability
- Dishonest practice, including academic misconduct
- Serious academic integrity breaches
- Poor attendance in clinics, laboratory practicals or technical practice
- Failure to participate in internal assessments
- Inappropriate professional behaviour, where this falls short of minimally acceptable standards, including:
 - Consistent unreliability in fulfilling assigned tasks or assignments
 - Irresponsible behaviour likely to pose a risk to patients, other students and/or other health care professionals
 - Inability and/or unwillingness to reflect on and improve their own clinical or technical practice
 - Inability to receive and process constructive feedback and/or modify inappropriate behaviours and attitudes
 - Lack of respect or rudeness towards patients and their families/whanau, other students, staff or other health care professionals or members of the public
 - Not maintaining appropriate professional boundaries
 - Breaching the University Student Conduct Statute or the Faculty of Dentistry Student Code of Professional Practice
 - Exceeding the appropriate scope of practice for a particular level of experience and training
 - Contravention of Dental Council (New Zealand) Professional Standards required under the Oral Health Practitioners Standards Framework (2015) <https://dcnz.org.nz/i-practise-in-new-zealand/standards-framework/>

Area 3: Extracurricular Concerns or Issues

Students are required to bring to the attention of the Faculty of Dentistry any issues that may adversely affect their future ability to register as an oral health practitioner with the Dental Council. This includes any charges brought by the police in relation to a criminal offence.

Issues concerning the actions of students occurring outside the study programmes, such as an offence which may be brought before the criminal courts (excluding minor traffic offences but including alcohol or drug related convictions or pornography offences) must also be brought to the attention of the Faculty of Dentistry by informing the relevant Associate Dean.

2. Classification of Concerns

Concerns about Fitness to Practise will be classified into the three categories of non-critical, critical or highly critical.

a. Category A (Non-critical)

An issue that raises concerns about current functioning in the programme (and/or future fitness to practise) that would best be dealt with through support and counselling, and that can be managed by the relevant Associate Dean, in consultation with the Programme Convenor and Faculty of Dentistry Student Support Officer.

Examples include poor attendance and/or participation in internal assessments, poor professional behaviour that is remediable, or health issues that may require a short time away from study but are expected to resolve without the need to temporarily withdraw from the programme.

b. Category B (Critical)

Issues that raise much more significant concerns about current functioning in the programme and/or future fitness to practise and would, if the student had been a registered oral health practitioner, have likely resulted in a patient complaint, action by an employer or referral to the Dental Council. Examples include dishonesty, serious health issues, significant contravention of a policy, court convictions, and substance abuse. Repeated Category A concerns may escalate to this category.

Any withdrawal from the programme on health grounds will be deemed to be a Category B issue.

c. Category C (Highly critical)

An event giving rise to the need for immediate action because of the likelihood of significant harm, either involving a student, or resulting from the action of a student.

It is the responsibility of the Dean of the Faculty, in consultation with the relevant Associate Dean, to determine the category for the event or issue. The Dean shall be notified immediately of any Category C incident. If there are implications for the safety of patients, staff, or students, the Dean has the authority to temporarily suspend the student or place limits on the continuation of the student's study and/or clinical activities, including placements.

3. Fitness to Practise Committee

The Fitness to Practise Committee (FtPC) is a sub-committee of the Faculty of Dentistry Board of Studies. The scope of FtPC activities and responsibilities is limited to dealing with students who may fail to reach (or who demonstrate breaches of the minimally acceptable standards in) professional attitudes and behaviour or who, for other reasons (such as personal health issues) may not be able to perform the functions required of a student, or of an oral health practitioner once graduated.

Terms of Reference

- To ensure that, in the conduct of their education and training, students in the Faculty of Dentistry do not pose a risk to patients or others because of their personal health or because of identified serious deficiencies or lapses in personal attitudes, conduct or behaviour.
- To ensure that, where serious impairments, deficiencies or lapses have been identified or have occurred, remedial steps have been undertaken and fulfilled such that the perceived risks are no longer present.
- To identify and review students who may have impediments to their successful transition into the oral health professions for reasons related to their personal attitudes, conduct, or behaviour, in accordance with the [University of Otago Regulations for Dentistry](#), the Faculty of Dentistry student Professional Code of Professional Practice and the Dental Council requirements to meet competency for Registration.
- To consider and review the “Fitness to Practise” of any student referred to the FtPC, and to make recommendations through the Faculty of Dentistry Board of Studies, the relevant Associate Dean, and/or the Faculty of Dentistry Student Support Officer for that student’s help and support towards achieving improvements in personal health or attitudes, conduct and behaviour.
- To monitor the progress of students who have been referred to the FtPC, and to ensure that all recommendations designed to help and support students to achieve improvements in their attitudes, conduct and behaviour (where appropriate) are being followed and the desired outcomes are being achieved.
- To decide whether the student(s) should continue to be monitored or the FtPC’s monitoring should be stopped.
- To refer individual cases, where necessary, to the Dean of the Faculty of Dentistry, and/or the Faculty of Dentistry Board of Studies, or Division of Health Sciences Committees or Boards, or to the University Disciplinary Authority (Proctor, Provost), as appropriate.
- To review the Faculty of Dentistry Student Code of Professional Conduct with reference to Fitness to Practise and recommend any changes to the Undergraduate Programmes Committee or Postgraduate Studies Committee and the Faculty of Dentistry Board of Studies.

The responsibility for assessing and managing any Fitness to Practise issues which may arise in connection with a student rest with the staff identified under this policy and with the FtPC. Staff who become aware of any issues, or potential issues, are to seek advice to ensure that the situation is appropriately addressed. Until an issue that may need to be addressed under this policy has been duly considered, staff must not provide references or otherwise express views on a student’s Fitness to Practise which purport to, or may be understood to, represent

the views of the Faculty or University.

Committee Meets

As required by the Chair of the FtPC.

Membership

Appointments are made by the Dean of Dentistry in consultation with the Faculty of Dentistry Board of Studies and include:

- Chair (Senior academic staff member who is not the Dean of the Faculty of Dentistry)
 - Senior academic staff member (Associate Professor or Professor)
 - Senior academic practising staff member from the Division of Health Sciences (non-Dentistry)
 - Relevant Oral Health Practitioner external to the Faculty
 - Layperson
 - Relevant Associate Dean (in attendance)
 - Co-opted members as required (e.g. Academic staff member from the Faculty of Law, lawyer, Māori representative, Pacific representative)
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- Administrative support to be provided by client services

Representatives of the first five categories constitute a quorum. The relevant Associate Dean will be in attendance. Co-opted members will attend as required, but may not be present for decision-making unless it is appropriate to the specific circumstance.

Functional Relationships

- Faculty of Dentistry Board of Studies
- Undergraduate (BDS, BOH, and BDentTech) Programmes Committee
- Postgraduate Studies Committee
- Faculty of Dentistry Student Support Officer

Associated policies, guidelines and legislation

- University of Otago [Regulations for the Degree of Bachelor of Dental Surgery \(BDS\)](#)
- University of Otago [Regulations for the Degree of Bachelor of Dental Surgery with Honours \(BDS\(Hons\)\)](#)
- University of Otago [Regulations for the Degree of Bachelor of Oral Health \(BOH\)](#)
- University of Otago [Regulations for the Degree of Bachelor of Dental Technology \(BDentTech\)](#)
- University of Otago [Regulations for the Degree of Bachelor of Dental Technology with Honours \(BDentTech\(Hons\)\)](#)
- University of Otago regulations for postgraduate programmes: [Postgraduate Study](#)
- University of Otago [Academic Integrity Policy](#)
- University of Otago [Student Academic Misconduct Procedures 2018](#)
- University of Otago [Academic Statute 2011](#)
- University of Otago [Discipline Statute 2011](#)
- [Faculty of Dentistry paper requirements](#)
- [Standards Framework for Oral Health Practitioners 2015](#)
- [Health Practitioners Competence Assurance Act 2003](#)
- [Children's Act 2014](#)
- [Privacy Act 2020](#)
- [A Guide to Disciplinary Proceedings, New Zealand Health Practitioners Disciplinary Tribunal \(2009\)](#)

4. Process

a. Identification of Students at Risk and Referral to Fitness to Practise Committee (FtPC)

It is anticipated that the identification of most students at risk will come through the usual monitoring of attendance, compliance and engagement in the programme, or through one of the Faculty's committees including (but not limited to) the Undergraduate or Postgraduate Committees, the Board of Examinations or through the Faculty of Dentistry Student Support staff. Any Faculty staff member may refer a student to the relevant Associate Dean for assessment of the issue and potential remediation in line with the process outlined below. In addition, students may make referrals to the Dean, relevant Associate Dean, or Faculty of Dentistry Student Support staff. Self-referrals from students are encouraged

The relevant Associate Dean, in consultation with the Dean of the Faculty, will initially determine whether an issue is potentially non-critical, critical or highly critical. The FtPC will convene as required.

Table: Overview of the process

	Non-critical	Critical	Highly critical
Refer to	Associate Dean (Undergraduate Studies) or Associate Dean (Postgraduate Studies) (depending on student), Faculty of Dentistry Student Support staff member, and/or Dean of the Faculty as appropriate	Associate Dean (Undergraduate Studies) or Associate Dean (Postgraduate Studies) (depending on student) or Dean of the Faculty	Associate Dean (Undergraduate Studies) or Associate Dean (Postgraduate Studies) (depending on student) and Dean of the Faculty
Refer to FtPC	No	Yes	Yes
Action	Devise an agreed action plan with student, which is monitored by the Associate Dean (Undergraduate Studies) or Associate Dean (Postgraduate Studies) (depending on student)	Devise an agreed action plan to be approved by FtPC and monitored by the Associate Dean (Undergraduate Studies) or Associate Dean (Postgraduate Studies) (depending on student)	Case by case action depending on circumstances
Anticipated outcomes	Student may continue with their study	Student may continue with their study if appropriate; action plan referred to, and conditions confirmed by, the FtPC. No student should continue in clinical/practical/learning activities if this would compromise their health or treatment or create health/safety concerns for patients and/or other students or staff	Suspension or voluntary withdrawal from classes and/or clinical/practical activities, pending investigation. No student should continue in clinical/practical/learning activities if this would compromise their health or treatment or create safety concerns for patients and/or other students or staff

Report	Information documented on student database	Information documented on student database. Action plan referred to Faculty of Dentistry Board of Studies for noting.	FtPC report given to the Dean of the Faculty, and Board of Studies. Report distributed to Divisional Academic Board as required. Outcome of decision retained permanently on student file at the Faculty of Dentistry.
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The FtPC will meet, when needed, to consider the circumstances relating to the issue brought to the committee and to recommend measures to remediate the situation and/or prevent further harm. The student concerned will be strongly encouraged to appear before the committee, and may be required to submit documents to the FtPC prior to the meeting. The outcome of the FtPC meeting will be reported to the Dean of the Faculty of Dentistry, and noted by the Faculty of Dentistry Board of Studies.

b. Outcomes of the Process

The outcomes of the process and/or recommendations from the FtPC will differ according to the mechanism of referral and the seriousness of the event.

i. Health or personal issues

The primary goal of the process and/or committee's recommendations is to provide the student with a plan and support framework that will enable the student to remain within the programme and to meet the requirements for the degree, provided that such an action does not place the public at risk.

Such a plan may involve monitoring, mentoring and counselling and will be agreed between the student and either the relevant Associate Dean and the Dean of the Faculty, or the FtPC (depending on whether it is a non-critical, critical or highly critical event). Adherence to the plan is a condition of remaining enrolled in the programme.

ii. Professional attitudes and behaviours

For a non-critical issue, an agreed action plan will be tracked to completion, and appropriate support will be put in place.

For a critical issue, the student will be put on a formal reporting regime, with a clearly defined reporting period during which the issue must be resolved. This may involve a period of leave, after which the student may continue with the programme of study. A written caution will also be given to the student.

For a highly critical issue, the student will be suspended from the programme until the investigation has been completed and a decision made by the FtPC. It is anticipated that this may result in temporary suspension or withdrawal from the programme, but continuation with conditions may be an option. Such a situation may also apply to students who have either persistent non-critical issues or a single ongoing critical attitudinal issue. More than one critical attitudinal issue will most likely result in the student being asked to withdraw

temporarily from the programme until further consideration is undertaken and a recommendation is made by the FtPC to the Faculty of Dentistry Board of Studies.

If a decision is made to recommend exclusion of a student from the programme to the Division of Health Sciences Academic Board, the student must be informed and given a date by which to provide a submission to the Faculty of Dentistry Board of Studies. The Dean of the Faculty of Dentistry (or their representative) will be responsible for ensuring that the student is given appropriate advice about other options, such as interrupting their studies at university while receiving appropriate therapy/counselling.

iii. Issues external to the programme

The guidelines applied by the committee here would be in line with the processes that would be put in place for a practising oral health practitioner who is referred to the Dental Council for similar reasons; the FtPC would consider the issue in line with the Dental Council's own guidelines and the thresholds detailed in the Health Practitioners Competence Assurance Act 2003.

If the student has been convicted, they will be considered to have committed the offence and decisions will be made in the light of that.

If the FtPC considers that there are sufficient grounds for judging that the student is unfit for entry to the profession, its first step will be to ensure that the student is given appropriate advice and the opportunity to accept the advice and voluntarily withdraw from the programme or be recommended for exclusion. The Chair of the FtPC will notify the Dean of the Faculty, who may ask for further relevant advice.

c. Conduct of the FtPC towards students and natural justice

The committee must adhere to due and fair process towards students and considerations of natural justice. Proceedings will occur as soon as reasonably practicable.

The Dean of the Faculty, or relevant Associate Dean, shall inform the student in writing that their case has been referred to the FtPC and shall inform the student of the reasons for referral.

The student will be advised that they have a right to make a written submission to the FtPC.

Face-to-face interaction with the student over health issues will normally be with the relevant Associate Dean, Deputy Dean or Dean (or both). These meetings will be conducted in the presence of at least one other academic staff member.

Students will be advised that they are able to bring a support person to any meeting and will be encouraged to do so.

The FtPC will, in consultation with the Dean and relevant Associate Dean, recommend reasonable means whereby fitness-to-practise issues may be constructively remedied. The relevant Associate Dean will continue to monitor the individual student's progress in fulfilling these recommendations.

The student will be advised of all FtPC recommendations in writing as soon as is reasonably practicable. These will include the conditions to be met in order for the monitoring processes to be discontinued.

5. Exclusion and Right of Appeal

Exclusion from a programme in the Faculty of Dentistry is a University of Otago process. A student who is excluded from such a programme cannot re-enrol in it and this will be recorded on their academic transcript. Should the FtPC determine that a student should be recommended for exclusion from further study in a programme, then this recommendation will be reported to the Faculty of Dentistry Board of Studies, which in turn will make this recommendation to the Division of Health Sciences Academic Board. At this point, the student may make a written submission to the Academic Board of the Division about their case, the Board will make a final decision on the matter, and the student will be advised in writing.

If the Division of Health Sciences Academic Board decides that the student is to be excluded, the student may seek leave to appeal against this decision to the University Council. This is in accordance with the University's Regulations Relating to Student Appeals to the University Council regarding any decision of the Senate or any other University body, such as a decision to exclude a student from further study in the relevant programme in the Faculty of Dentistry. The appeals process will follow the relevant regulations set out in the University of Otago Calendar.

6. Advising Students of the Code of Professional Practice and Policy for Fitness to Practise

On entry to an oral health practitioner programme, students will be provided with a copy of the Code of Professional Practice and this Policy for Fitness to Practise and asked to declare their acceptance to studying within this framework. This document and issues of fitness to practise are discussed in professional papers throughout the oral health practitioner programmes. Students are required to make a formal declaration on their fitness to practise through the SONIA portal at the beginning of each academic year. Students will be advised of any revisions to this document and are expected to review, be familiar with, and abide by the Student Code of Professional Practice throughout their course of study.

If, at any stage during the programme, a paper coordinator, programme convenor, or the relevant Associate Dean becomes aware that the student may have breached general University Policy or Regulations, the staff member will take advice from the Dean of the Faculty and the matter will be dealt with in accordance with the relevant University policy or regulation and (where necessary) investigated in accordance with the University Discipline Statute. This would not preclude such an issue being placed on the student's record held in the Faculty in respect of fitness to practise; an example would be plagiarism.

Students have the responsibility to immediately (at any point during their proposed study) disclose any change in their health status, any criminal convictions or other such matters which may influence their fitness to practise to the Associate Dean Undergraduate Studies or Associate Dean Postgraduate Studies, as appropriate.